

**MATHEWS COUNTY BOARD  
OF SUPERVISORS  
RULES OF PROCEDURE**

**Introduction**

These rules of procedure were designed and adopted for the benefit and convenience of the Mathews Board of Supervisors (the “Board”) for all of its meetings, whether regular, special or a work session. Their purpose is to help Board conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert’s Rules of Order Newly Revised* and applicable Virginia laws. The rules of procedure do not create substantive rights for third parties or participants in proceedings before the Board. Further, the Board reserves the right to suspend or amend the rules of procedure whenever a majority of Board decides to do so. When the Board’s rules of procedure do not address a procedural issue, the Board may consider the most recent edition of *Robert’s Rules of Order* for guidance. The failure of the Board to strictly comply with the rules of procedure shall not invalidate any action of Board. These Rules of Procedure shall be reviewed at the organizational meeting of the Board of Supervisors.

**SECTION 1 - PURPOSE AND BASIC PRINCIPLES**

**Section 1-1.           Purpose of Rules of Procedure**

- A.     To enable the Mathews Board of Supervisors to transact business fully, expeditiously and efficiently while affording every opportunity to citizens to witness the operations of government;
- B.     To protect the rights of each individual Board member;
- C.     To preserve a spirit of cooperation among Board members; and
- D.     To determine the will of Board on any matter.

**Section 1-2.           Basic Principles Underlying Rules of Procedure**

- A.     The business of the Board should proceed in the most efficient manner possible;
- B.     The Board’s rules of procedure must be followed consistently;
- C.     The Board’s actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
- D.     Only one subject may claim the attention of the Board at one time;

- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every member has an equal right to participate in and vote on all issues;
- G. Every member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- I. The Board must act as a body.
- J. A committee may be only appointed by the Board by majority vote; the purpose, scope of authority, members and duration of the committee shall be specified.

**Section 1-3. Amending the Rules of Procedure**

These rules may be amended at any regular meeting, or at any properly called special meeting in accordance with state law, that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of a majority of members of the Board.

**SECTION 2 -- MEETINGS**

**Section 2-1. When and Where Regular Meetings are Held**

The time and place of regular meetings of the Mathews Board of Supervisors (the "Board") shall be established at each organizational meeting. Meetings shall be held in the Historic Courthouse, as follows:

The Board may hold additional meetings at other locations and other times, or may change the locations and times of regularly scheduled meetings, as it deems appropriate to do so and in accordance with state law. Notice of such additional meetings or changes to the location or time of regularly scheduled meetings shall be provided to the public and the press as required by state law. Special meetings shall only be called by the Chair and in accordance with state law. An emergency meeting shall only be called by the Chair, in accordance with state law, for the purpose of addressing or responding to an urgent matter which, if not addressed, is likely to result in harm to Mathews County. (Harm is defined as environmental damage, a health threat, a significant weather event and the like.)

**Section 2-2. Cancellation or Rescheduling of Meetings**

A regularly scheduled meeting may be cancelled or rescheduled, in special circumstances and for the convenience of the Board. The Chair and Vice Chair shall agree to any such change and the remaining members of the Board shall be immediately notified of the change and the reason. The public and the media shall be notified promptly of the change.

**Section 2-3. Organizational Meeting**

A. The first meeting in January of each year shall be known as the organizational meeting. The County Administrator shall preside during the organizational meeting pending the election of the Chair.

B. The Chair shall be elected at the organizational meeting for a term of one year.

C. Following the election of the Chair, he or she shall preside during the election of the Vice Chair.

D. Following the election of the Vice Chair, the Board shall:

1. Establish the dates, times and places for regular meetings; and
2. Adopt its Rules of Procedure.

**Section 2-4.                    Procedure for Election of Chair and Vice Chair**

A. The County Administrator shall preside during the meeting at which the Chair is elected, pending the election of the Chair. Following the election of the Chair, he or she shall preside during the election of the Vice Chair.

1. The Chair shall call for nominations from the membership.
2. Any Board member, after being recognized by the Chair, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
3. After all nominations have been made the Chair shall close the nominating process and open the floor for discussion.
4. After discussion the Chair shall call for the vote.
5. The membership shall vote by written ballot and the completed ballots shall immediately be passed to the Clerk who shall collect the ballots, read them aloud, publicly announce how each member of the Board voted and tally the respective votes.
6. Each member shall cast one vote for any one nominee.
7. In the case of three-way race, the candidate receiving the least number of votes will be dropped from the slate of nominees, and another vote will be taken.
8. A majority of those voting shall be required to elect the Chair or ViceChair.

B. The Chair and Vice Chair shall serve until replaced. The Chair and/or Vice Chair may be removed by a majority vote of the Board at any time.

**Section 2-5.           Seating Arrangement**

The seating arrangements for the Board shall be determined by the Chair.

**SECTION 3 -- OFFICERS**

**Section 3-1.           Chair and Vice Chair**

The Chair shall preside over all meetings of the Board. The Vice Chair serves in the absence of the Chair. In the absence from any meeting of both the Chair and Vice Chair, the County Administrator shall call the meeting to order and the Board members present shall then choose one of their members as temporary Chair.

**Section 3-2.           Clerk**

The Clerk of the Board shall be appointed by the Board. He or she shall assist the County Administrator in preparing the agenda for Board meetings, shall attend all Board meetings, and shall keep an accurate record of the proceedings.

**Section 3-3.           Parliamentarian**

The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure and the Code of Virginia (1950), as amended, as may be directed by the Chair, or as required as a result of a point of order raised by one or more Board members. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.

**Section 3-4.           Preservation of Order**

At meetings of the Board, the Chair shall preserve order and decorum. In the event that the Chair shall fail to preserve order and decorum, two or more members may, following a proper motion with a majority vote, call the Chair out of order. The Chair shall have the following powers:

1. To rule motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstructive or dilatory purposes (any Board member may request that the Chair rule a motion in or out of order);
2. To call a brief recess at any time;
3. To adjourn in an emergency.

**Section 3-5.****Citizen Participation**

**The Board of Supervisors welcomes and encourages citizen participation at all regular monthly meetings. These requirements are designed to preserve decorum and civility during meetings and to promote transparency.**

- A. Every petition, communication or address to the Board shall be in respectful.
- B. Remarks shall be addressed directly to the Board, and not to staff, the audience, or the media.
- C. The Chair shall open the Opportunity for Citizen Comment.
- D. Each speaker shall clearly state his or her name and locality of residence.
- E. There shall be a time limit for each individual speaker of 3 minutes.
- F. A representative of a group may have up to five (5) minutes to make a presentation. The representative shall identify the group at the beginning of his or her presentation. A group may have no more than one spokesperson.
- G. Speakers are not permitted to donate time to other speakers.
- H. There shall be no discussion by the Board during the Opportunity for Citizen Comment.
- I. Any issue raised by the public which the Board wishes to consider may be put on the agenda for a future Board meeting by a majority vote.
- J. Board members shall not discuss issues raised by the public except by consent of a majority of the Board members present.
- K. Citizens shall only address the Board during public comment or during a public hearing, unless a majority of the members of the Board agree otherwise.
- L. No speaker's time shall be extended except by unanimous consent or a two-thirds (2/3) vote of the Board members present.
- M. Any person who desires to submit a written statement or documents for forwarding to the Board prior to a Board meeting may submit one (1) copy to the Clerk of Board by 4:00 on the Thursday preceding the Board meeting and the Clerk shall promptly provide the written statement or document to the Board.

**Section 3-6.****Prohibited Conduct**

- A. Persons appearing before the Board will not be allowed to:
  - 1. Campaign for public office;
  - 2. Use profanity or vulgar language or gestures;
  - 3. Use language which insults or demeans any person or which, when directed at a public figure or employee is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures.
  - 4. Make non-germane or frivolous statements;

5. Interrupt other speakers or engage in behavior that disrupts the meeting including but not limited to applause, cheers, jeers, etc.;
6. Engage in behavior that intimidates others;
7. Address the Board on issues that do not directly concern the services, policies or affairs of the County.

B. The Chair shall preserve order and decorum at Board meetings. He or she may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder. Any person so expelled shall not be readmitted for the remainder of the meeting from which expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Board meetings for a specified and reasonable period of time not to exceed six months, or upon a still subsequent expulsion a period not to exceed one year either by the Chair, or by motion approved by the Board.

### **Section 3-7. Public Hearings**

- A. This section of the agenda shall be for public hearings as required by County, State, or Federal law, or as the Board may direct.
- B. The Chair shall conduct all public hearings.
- C. The order of public hearings shall be as follows:
  1. The Chair shall open the public hearing.
  2. Hearings shall begin with a brief presentation from a staff member. The presentation shall summarize the facts about the issue and the staff recommendation. Board members may seek clarification during the presentation, but not engage in a discussion on the merits until after the public hearing has been closed.
  3. The Chair shall then announce that the public hearing is open and solicit comments from the public. Each speaker must clearly state his or her name and locality of residence. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The Board, by unanimous consent or by a two-thirds (2/3) vote of the members present, may allow any speaker to proceed past the time limit.
  4. Upon the conclusion of public comments, the Chair shall close the public hearing.
- D. When a public hearing has been closed by the Chair, no further public comment shall be permitted. Board members, however, may direct questions to a staff member for clarification

prior to taking any vote, if a vote is in order.

- E. Following the close of the public hearing, the Chair may entertain a motion to dispose of the issue and the Board may debate the merits of the issue.

**Section 3-8.           Items Not on the Agenda**

With the Board's consent, items may be added to the agenda to respond to situations and/or questions of a critical nature which have arisen after the deadline has passed for items to be placed on the agenda. Items shall not be added to the agenda for the purpose of depriving the Board and the public of an opportunity to fully consider a matter prior to discussing or taking action. No agenda item shall be added that involve documents which have not been distributed to the Board and made available to the public at least twenty-four hours before the meeting.

**Section 3-9.           Priority in Speaking on the Board**

When two or more members of the Board wish to speak at the same time, the Chair shall name the one to speak.

**Section 3-10.       Comments, Queries of Board Members**

Board members are to observe the following rules during the discussion of agenda items:

- A.       The Chair shall keep discussion germane to the subject. Points of clarification shall be limited to questions only. The Chair shall rule other comments out of order.

- B.       Board members may address questions to the County Administrator or staff present at the meeting. Staff members should be at a microphone when answering Board members' questions. All legal questions should be addressed to the County Attorney.

- C.       Board members shall not initiate or respond to any text messages or social media during a meeting that involves any public business or any matter relating to Mathews County.

**Section 3-11.       Action by the Board**

- A.       Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

- B.       When a proposal is perfectly clear to all present, and the proposal will not obligate the Board in any manner nor finally decide an issue before the Board, action can be taken upon the unanimous consent of the Board members present, without a motion having been introduced. However, unless agreed to by unanimous consent, all proposed actions of the Board must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.

**Section 3-12.            Motions**

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member, except for the Chair, may make or second a motion.
- C. Members are required to obtain the floor from the Chair before making motions or speaking, which they can do while seated.
- D. A member may make only one motion at a time.

Except for matters recommended by a Board committee, or as otherwise stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.

**Section 3-13.            Substantive Motions**

- A. A substantive motion is any motion that deals with the merits of an item of business and is within the Board's legal powers, duties and responsibilities.
- B. A substantive motion is out of order while another substantive motion is pending.

**Section 3-14.            Procedural Motions**

- A. Procedural motions are those motions that the Board may use to "act upon" a substantive motion by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
- B. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion requires the floor and a second, is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available.
  - 1. To Take a Brief Recess. This motion allows the Board to pause briefly in its proceedings. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the Chair or a motion to adjourn is pending
  - 2. To Suspend the Rules. The Board may suspend provisions of its rules of procedure. The Board may not, however, suspend any provisions of the rules that state requirements imposed by law on the Board. For adoption, a motion to suspend the rules requires unanimous consent or an affirmative vote of two-thirds (2/3) of members present.
  - 3. To Defer Consideration. The Board may defer action on a substantive motion to a more convenient time. The Board may use the following motions to defer consideration of a substantive motion:

- (a) The motion to "postpone" delays debate on an item of business so that it may be considered at a later date. An item of business may be "postponed



definitely,” when it is continued to a definite time or date or “postponed indefinitely” if no future time or date is specified in the motion. A matter that has been postponed to a certain time or day shall be brought up again automatically when that time arrives. When a matter has been postponed indefinitely it takes an affirmative vote of a majority of the Board to bring the matter back for further discussion.

(b) Section 15.2-2286 of the State Code requires that a zoning petition must be “acted upon” within a “reasonable time,” not exceeding one year. The Board may defer action on a zoning petition for consideration at a more convenient time. However, the Board may not dispose of a zoning petition with a motion to postpone indefinitely.

4. Call the Question. The motion to call the question is not in order until every member of the Board has had an opportunity to speak once and the deliberation by the Board on an item of business has exceeded thirty (30) minutes. The motion is not amendable or debatable.
5. To Amend. Any substantive motion properly on the floor may be amended. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a substitute motion. A motion may be amended no more than twice. Once a motion has been offered to the Board, it is up to the Board to decide whether or not it should be changed by amendment. It is not necessary for the person making the original motion to approve of any proposed amendment to the motion.
6. Withdrawal of Motion. A motion may be withdrawn by the introducer at any time before it is amended or before the Chair puts the motion to a vote, whichever occurs first.
7. Motion to Reconsider. The Board may vote to reconsider its action on a matter. The motion to reconsider must be made no later than the next succeeding regular meeting of the Board and can only be made by a member who voted with the prevailing side. In the event of a tie vote on the original motion any Board member may introduce a motion to reconsider. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes. A motion to reconsider may not be used in a land use decision involving a rezoning or a conditional use permit.
8. Motion to Prevent Reintroduction for Six Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote of the majority of the entire membership of the Board. If adopted, the restriction imposed by the motion remains in effect for six months. As with every other procedural motion, the motion to prevent reintroduction may be dissolved by a motion to suspend the rules

**Section 3-15.            Debate**

- A. The Chair shall state the motion and then open the floor to debate. The Chair shall preside over the debate according to the following general principles:
1. The maker of the motion is entitled to speak first;
  2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
  3. The Chair may participate in the debate prior to declaring the matter ready for a vote.
  4. Board members shall not engage in electronic communications regarding a motion that is on the floor for debate.

**Section 3-16.            Duty to Vote**

- A. Each member of the Board who is present at a meeting shall be required to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests Act or unless excused from voting by the other members of the Board. A member who wishes to be excused from voting shall state his or her reasons for abstaining and the Chair shall ask if any of the remaining members object. If there are any objections, the Board shall take a vote of the remaining members on the question of whether or not to allow the member to abstain from voting.
- B. If there is an abstention, it shall be the responsibility of the Clerk of Board to note the abstention and the reason for abstaining for the record.

**Section 3-17.            Method of Voting**

- A. After debate, the Chair shall ensure that the motion is clear by having the motion restated by the Clerk and call for the vote.
- B. All questions submitted to the Board shall be determined by a majority vote of the members voting on any such question, unless otherwise required by special or general law. A majority is more than half.
- C. An “affirmative vote” by a majority of the Board present being necessary to adopt a motion, a tie vote means that the motion, resolution or issue has been rejected. When a motion fails on a tie vote, the “noes” prevail.
- D. All questions submitted to the Board for decision shall be decided by a vote of the Board utilizing the electronic voting board, if available, in Board chambers followed by an announcement by the Clerk of how each member voted.

**Section 3-18.            Decisions on Points of Order**

Any Board member may raise a point of order without being recognized by the Chair. The Chair shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the Chair who shall then make a ruling on the point of order.

**Section 3-19.            Closed Meetings**

The Board may, by majority vote, enter into closed meeting as is permitted by law. All discussions during closed meetings shall remain confidential and each member shall, following each closed meeting, sign a pledge indicating his or her intent to preserve the confidentiality of the matters discussed during the closed meeting. Any member who breaches the confidentiality of a closed meeting, may be subject to censure by the Board.

**SECTION 4 – AGENDA**

**Section 4-1.            Preparation**

- A. The County Administrator shall prepare an agenda for all meetings, regardless of the type of meeting (special, regular or work session).
- B. Any Board member may request that items be placed on a meeting agenda by contacting the County Administrator at least seven (7) days prior to the Board meeting for which they wish the item scheduled. The County Administrator shall place requested items on the agenda for the next regular meeting following the request.
- C. All items which are requested to be placed on the agenda and which have not been submitted within the prescribed deadline shall be placed on the following regular agenda for consideration.
- D. The Board may add items to the published agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Board. Members must use discretion in requesting the addition of items on the agenda. Adding items to an agenda after the agenda has been published is discouraged in order to promote transparency.
- E. Unless required by law, no item will be scheduled for a public hearing unless by unanimous consent or the vote of a majority of the Board to hold a public hearing on the item.
- F. Any individual or group who wishes to address the Board during a regular meeting on any item of County business shall submit a written request to be on the agenda to the Clerk of Board by noon on the Wednesday preceding the Board meeting.

**Section 4-2.            Delivery of Agenda**

The Board meeting package, including the agenda and related materials, shall be delivered to each member of the Board and the County Attorney the Friday day prior to the Tuesday Board meeting. Delivery by electronic means is the preferable method.

**Section 4-3.            Public Access to Agenda Materials**

The Clerk of Board shall post the agenda documents for all Board meetings on the Mathews County website at the same time that the agenda is made available to the members of the Board. A paper copy of agenda documents are available in the County Administrator's Office.

**Section 4-4.            Consent Agenda**

A.     The consent agenda shall include, by way of illustration but not limitation, the following:

1. Approval of minutes.

2. Any item believed by the Clerk of Board to be routine and not controversial in nature.

B.     The consent agenda shall be introduced by a motion "to approve," and shall be considered by the Board as a single item.

C.     There may be a short discussion of consent agenda items to answer questions or clarify a matter. There shall be no lengthy debate or discussion of a consent agenda item.

D.     Upon request of any Board member, an item shall be removed from the Consent Agenda. The item shall be considered separately after adoption of the Consent Agenda.